THE HON'BLE SRI JUSTICE BILAL NAZKI

AND

THE HON'BLE SRI JUSTICE S.ANANDA REDDY

WRIT PETITION NO.11569 OF 2007

Dated 14-06-2007

Between:

M/s S.L.S.Power Ltd …Petitioner

And

The Deputy Commissioner and
Another …Respondents

THE HON'BLE SRI JUSTICE BILAL NAZKI
AND

THE HON'BLE SRI JUSTICE S.ANANDA REDDY

WRIT PETITION NO.11569 OF 2007

O R D E R *(Per the Hon'ble Sri Justice Bilal Nazki):*

Heard learned counsel for the parties.

The only grievance of the petitioner is that the impugned order was passed without giving a chance of hearing to him although he had sought a personal hearing.

Learned Special Standing Counsel for Commercial Taxes appearing for the respondents contests that and submits that a notice had been given to the petitioner to appear and when the advocate of the petitioner appeared before the Deputy Commissioner-the first respondent, he was told that the petitioner would be personally heard on a particular date i.e., on 15-03-2007, but the petitioner choose not to appear.

Without going into the controversy whether personal hearing was offered to the petitioner or not as we are told that there was still time to pass an order in the revision and the time would expire by March, 2008, therefore, in the interest of justice, we set aside the impugned order passed by the first respondent and direct the first respondent to hear the petitioner before passing of an order. The petitioner shall appear before the first respondent on

25th June, 2007. No notice shall be given to the petitioner by the first respondent for his appearance. If the petitioner does not appear for any reason on the date fixed by us, the first respondent may proceed with the matter.

The writ petition is accordingly allowed. No order as to costs.

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(Bilal Nazki, J)

Dated 14th June, 2007

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(S.Ananda Reddy, J)

Note: 1. Issue C.C in two days

2. The learned Special Standing Counsel for Commercial Taxes shall communicate the gist of this order to the Officer concerned.

(b/o)
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